

FAUQUIER COUNTY  
PURCHASE OF DEVELOPMENT RIGHTS COMMITTEE  
MEETING  
October 28, 2004  
10:00 AM  
Virginia Cooperative Extension Office, 24 Pelham Street, Warrenton, VA  
20186

MINUTES

1. Call to Order

Leslie Grayson, Committee Member and Director of the Northern Virginia Office of the Virginia Outdoors Foundation called the meeting to order.

The following people were present:

Ray Pickering	Agricultural Development Officer
*Leslie Grayson	Director, Northern Virginia Office of Virginia Outdoors Foundation; Temporary Chair, PDR Committee
*John Schied	Agricultural Advisory Committee Member and PDR Committee
*Roger Martella	PDR Committee (present via speaker phone)
*Ike Broaddus	PDR Committee
Keith Dickinson	Agricultural Agent, Virginia Cooperative Extension
*Don Huffman	PDR Committee
Scottie Heffner	PDR Program Assistant

\*PDR Committee Members. All PDR Committee Members were present.

2. Adopt the Agenda

- a. Leslie Grayson, Temporary Chair, asked that the discussion of the time frame for a third round of applicants be added to the agenda.

3. Approval of September 2, 2004 Minutes

- a. Keith Dickinson asked that the September 2, 2004 Minutes be amended to show some Committee Members left after visiting the Chapman farm, and that a quorum was made after that to recommend that the Board of Supervisors approve all of the second round applicants who qualified under the Old Dominion Electric Cooperative (ODEC) criteria.

4. Review Status of First Round Applicants

- a. Ray Pickering reviewed the status of the first round applicants, with Vanderwoude Hill and William Peters easements completed.
- b. The status of remaining properties to settle was discussed.
  - i. Maxwell Bowen should settle within two weeks
  - ii. Ken Smith should settle next but there are some complications:
    1. At the landowner's request, an easement on one of the three parcels is being conveyed at this time and should settle

before the end of 2004. The subject of this settlement raised some questions and further discussion:

- a. Is this a viable parcel alone? It was concluded that this parcel would have been accepted on its' own merit and so can stand alone.
- b. How should funding be reserved? It was decided that the landowner should resubmit an application offering both of the remaining parcels together.
- c. How much of a farm should the PDR Committee accept if a whole farm is not offered? It was concluded that would have to be decided on a case by case basis but the more of the farm that is offered the more attractive the application.
- d. How many retained rights are allowed? It was decided that this too would have to be addressed on a case by case basis but generally a large number of rights withheld would not be acceptable.
- e. What can be done to insure that what is offered is actually placed in easement? In the next round of applicants, a Landowner Commitment Letter will be signed early after applications are accepted, stating what parcels are being offered, the number of development rights offered and the price per right.
- f. Since the Ken Smith/Cool Lawn Farm application was approved by a prior board (Agricultural Advisory Board), the Committee Members decided to take a vote on what to do about the changes made to the original application and to the resolution which was approved by the Board of Supervisors.
- g. Motion was made that the Committee go to the Board of Supervisors for approval of this change, that Ken Smith should reapply with the remaining two parcels and that the Committee recommend to the Board that the amended application be approved (when submitted). Motion was seconded and carried by majority vote as follows:

AYES: Leslie Grayson, John Schied, Don Huffman

NAYS: None

ABSTAIN: Ike Broaddus, Roger Martella

iii. Calvin Ritchie (first round)

1. A change had been made by Zoning in the determination of the number of development rights. Subsequently, Mr.

Ritchie advised that he would not settle for the new number of 3 rights.

5. General Points of Discussion

- a. Growth of the Program: There is sufficient interest but as it is in its' infancy will continue to grow and applications will become more competitive. In the mean time there is adequate funding for the program.
- b. Complications of title which are more common in family owned farms involving multi-generational ownership may pose a problem for some applicants and may prevent some from applying.
- c. It is important to reach settlement in a timely fashion so that the program can move forward and we do not discourage landowners.
- d. Concern was expressed about how the determination of number of development rights is made and how a determination could change.
- e. Concern was expressed that we may be giving funds to farmers who may not need funds and the role of the program came into play. It was decided that well run farms that produce income should not be penalized in the program and that the program focus is twofold; to preserve open space and to give working farmers an incentive to protect their land.

6. Review of Second Round Applicants

- a. Chapman, Wilbur Ritchie, Calvin Ritchie and Ott easements are at the point of reviewing title work.
- b. Draft deed is being prepared for the Price easement and since it is further along should be the first of the second round applicants to settle.

7. Review Eligibility Criteria

- a. \$25,000 as a farm income eligibility criteria was discussed; this amount may be high for some. It was suggested that this be moved to the ranking criteria category.
- b. It was suggested that all of items I.1. of the eligibility criteria be moved to the ranking criteria to allow as many farms as possible to be considered.

8. Review Ranking Criteria

- a. Items from 7.a. and 7.b above should be added to the Ranking Criteria
- b. Percent of development rights being offered should be added.
- c. Scenic and visibility factors should be added.
- d. Participation in conservation programs should be included (which may add to the possibility of being eligible for the Farm Bill Farm and Ranch Lands Protection Program which requires a conservation plan, requires consideration of quality of soil and requires 100% of development rights to be sold).
- e. Participation in Best Management Practices should be added.
- f. Similar language as that used in James City County's June 1-July 31, 2004 application ranking sheet that states the "owner has implemented or agrees to implement any of the following soil and water quality conservation plan categories" may be added in the future.

- g. The possibility of using a detailed point system was discussed with the conclusion that it would be premature at this point, and should be tested on properties that have already qualified to prove its' effectiveness.

9. Review of Emergency Criteria

- a. A problem was foreseen in how an emergency might be defined. It was decided that an emergency would be clearly recognizable (for example, death or disability). The property would still have to meet the same criteria as regular applicants, funds would need to be available in order to complete the easement, and the PDR Committee would have to recommend such purchases to the Board of Supervisors.

10. Timing for Third Round of Applicants

- a. It was discussed and decided that the application period for the third round should be open from November 12, 2004 through January 31, 2005.

11. Meeting Date

- a. The next meeting date was discussed at length. It was decided that the Committee would tentatively meet 9:00 AM, Monday, December 20, 2004 at the Virginia Cooperative Extension Office.